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## Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RICKIE JOHN GRATE, by and through his )  
Guardian Ad Litem, SANDRA TUCKER, )  
Plaintiff, )  
v. )  
UNITED STATES OF AMERICA, and )  
DOES 1 through 100, inclusive, )  
Defendants. )

No. C-04-5220 MEJ (WDB)

**STIPULATION AND PROPOSED  
ORDER FOR DISMISSAL WITH  
PREJUDICE**

1       The parties to this agreement are the United States of America, defendant, on the one  
2 hand, and Rickie J. Grate, by and through his Guardian Ad Litem Sandra Tucker, on the other  
3 hand. At the inception of this litigation, Marsha D. Latner was Mr. Grate's co-guardian ad litem  
4 with Ms. Tucker, but during the litigation Ms. Latner died.

5       THE PARTIES HEREBY STIPULATE, BY AND THROUGH THEIR RESPECTIVE  
6 ATTORNEYS, AS FOLLOWS:

7       Pursuant to Federal Rules of Civil Procedure, Rule 41(a)(1)(ii), and consistent with the  
8 terms of the Stipulation and Proposed Order for Compromise Settlement and Release filed  
9 December 1, 2006 (see Docket #42), the parties hereby stipulate to the dismissal with prejudice  
10 of this litigation. Each party will bear its own costs.

11      IT IS SO STIPULATED.

13     Dated: December 19, 2006

*/ss Sean M. Burke, Esq. ss/*  
SEAN M. BURKE, ESQ.  
JEANNE A. STEFFIN, ESQ.  
Attorneys for Plaintiffs

17     Dated: December 20, 2006

16      KEVIN V. RYAN  
United States Attorney

*/ss Jonathan U. Lee ss/*  
JONATHAN U. LEE  
Assistant United States Attorney  
Attorneys for Defendant

20     The Clerk of Court shall close the file.

21      **IT IS SO ORDERED.**

23     Date: December \_\_\_, 2006

24     January 5, 2007

